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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

JOSEPH P. SHELTON,

Petitioner,

No. C 10-01100 PJH

vs.

JOHN C. MARSHALL, Warden,

Respondent.

**ORDER GRANTING LEAVE
TO FILE MOTION FOR
RECONSIDERATION;
SETTING BRIEFING
SCHEDULE**

On March 15, 2012, the court denied respondent's motion to dismiss this habeas case on various grounds. On April 3, 2012, respondent filed a "motion to alter or amend" the order under Federal Rule of Civil Procedure 59(e). Because there has been no judgment in this case, respondent's instant motion is actually one for reconsideration of an interlocutory order and requires leave of the court pursuant to Civil L.R. 7-9(a), which this court will grant. Petitioner's opposition to the motion is due no later than **Wednesday, April 18, 2012**. Respondent's reply is due **Wednesday, April 25, 2012**.

The motion will be decided on the papers.

IT IS SO ORDERED.

Dated: April 4, 2012



PHYLLIS J. HAMILTON
United States District Judge